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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

This Document Relates to:

Jaylynn Dean v. Uber Techs., Inc.,
No. 23-cv-06708

Case No. 3:23-md-03084-CRB (LJC)

**DEFENDANTS UBER TECHNOLOGIES,
INC., RASIER LLC AND RASIER-CA, LLC'S
ADMINISTRATIVE MOTION TO SEAL
DEFENDANT'S UNREDACTED TRIAL
BRIEF**

Judge: Hon. Charles R. Breyer
Courtroom: 6 – 17th Floor

1 Pursuant to Northern District of California Civil Local Rules 7-11 and 79-5, Defendants Uber
 2 Technologies Inc., Rasier LLC, and Rasier-CA, LLC (collectively, “Uber”) respectfully submit this
 3 Administrative Motion (“Motion”) to Seal the unredacted version of Defendants’ Trial Brief Regarding
 4 Pre-Trial Legal Issues (“Trial Brief”). For the reasons set forth herein, there are compelling reasons to seal
 5 the narrowly-tailored proposed redactions in Defendants’ Trial Brief.

6 **I. LEGAL STANDARD**

7 In the Ninth Circuit, courts use one of two standards to decide whether a document supporting a
 8 motion should remain under seal—the “compelling reasons” standard or the “good cause” exception.
 9 *Amarte USA Holdings, Inc. v. Kendo Holdings Inc.*, No. 22-cv-08958-CRB, 2024 WL 4487404, at *1
 10 (N.D. Cal. Aug. 13, 2024) (citations omitted). When a motion is dispositive, the compelling reasons
 11 standard applies. *Id.* “[P]lenty of technically nondispositive motions—including routine motions in
 12 limine—are strongly correlative to the merits of a case,” such that the compelling reasons test applies.
 13 *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1099 (9th Cir. 2016).

14 “[B]usiness information that might harm a litigant’s competitive standing [if disclosed]’ meets
 15 the compelling reasons standard for sealing.” *Miller v. RP On-Site, LLC*, No. 19-CV-02114-LHK, 2021
 16 WL 624175, at *2 (N.D. Cal. Jan. 8, 2021) (citing *In re Elec. Arts, Inc.*, 298 F. App’x 568, 569 (9th Cir.
 17 2008)); *see also Rodman v. Safeway Inc.*, No. 11-CV-03003-JST, 2015 WL 13673842, at *2 (N.D. Cal.
 18 Aug. 4, 2015) (“common-law right of inspection has bowed before the power of a court to insure that its
 19 records” are not used as “sources of business information that might harm a litigant’s competitive
 20 standing”) (citing *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 598 (1978)); *Lawson v. Grubhub, Inc.*,
 21 No. 15-cv-05128-JSC, 2017 WL 2951608, at *9 (N.D. Cal. July 10, 2017) (“Sources of business
 22 information that might harm a litigant’s competitive strategy may also give rise to a compelling reason to
 23 seal, as may pricing, profit, and customer usage information kept confidential by a company that could be
 24 used to the company’s competitive disadvantage.”) (internal alterations and citations omitted); *In re Apple*
 25 *Inc. Device Performance Litig.*, No. 5:18-md-02827-EJD, 2019 WL 1767158, at *2 (N.D. Cal. Apr. 22,
 26 2019) (noting that under the compelling reasons standard, courts have upheld the sealing of “trade secrets,
 27 marketing strategies, product development plans, detailed product-specific financial information,
 28

1 customer information, internal reports and other such materials that could harm a party's competitive
2 standing").

3 **II. ARGUMENT**

4 Uber has established compelling reasons for redacting the requested portions of its Trial Brief,
5 which contain specific details about its confidential and proprietary trip-matching safety assessment
6 technology, called Safety Risk Assessment Dispatch ("S-RAD"). Release of the redacted materials
7 described below to Uber's competitors and the public would result in competitive harm to Uber, which
8 outweighs the public interest in disclosure here.

9 Uber has previously explained in detail the compelling reasons warranting sealing of information
10 about S-RAD, including in its statement in response to Plaintiff's Administrative Motion to consider
11 whether Uber's material should be sealed in connection with Plaintiff's summary judgment opposition,
12 ECF 4848 at 4-5 ("Statement"). As explained in its prior Statement on the issue: Disclosure of the details
13 concerning S-RAD would cause competitive harm to Uber by allowing its competitors to use that
14 information to Uber's competitive disadvantage and to potentially reverse-engineer the S-RAD
15 technology for their own use; and release of the information could also allow users of the Uber platform
16 or other individuals to take steps to undermine or circumvent S-RAD's effectiveness. *Id.* Uber hereby
17 incorporates the argument in its prior Statement by reference. *Id.*

18 **III. CONCLUSION**

19 Compelling reasons exist for the Court to seal and redact the Uber's Trial Brief. Uber therefore
20 respectfully requests that the Court order that the redacted and sealed version of its Trial Brief be
21 maintained on the docket under seal.

1
2 DATED: January 5, 2026

Respectfully submitted,

3 /s/ Laura Vartain Horn

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